

PROB 12B  
(7/93)

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
NOV 25 2013  
SEAN F. McAVOY, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Somxay Phimmassanh

Case Number: 0980 2:09CR00015-005

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: July 14, 2010

Type of Supervision: Supervised Release

Conspiracy to Distribute 1,000 Kilograms or More of  
Marijuana, 21 U.S.C. § 846 and 841(1)(1),  
(b)(1)(A)(vii)Original Offense:

Date Supervision Commenced: October 11, 2013

Original Sentence: Prison - 60 M; TSR - 60 M

Date Supervision Expires: October 10, 2018

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 17 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 18 You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

Per review of the offender's information, it was determined he has history of substance abuse issues. The undersigned officer is requesting the above conditions be added to assist the offender with counseling and testing services. Mr. Phimmassanh, has agreed to the modification as evidenced by the attached signed waiver of hearing to modify conditions of supervised release as reflected above.

Respectfully submitted,

by s/Richard Law

Richard Law  
U.S. Probation Officer  
Date: November 25, 2013

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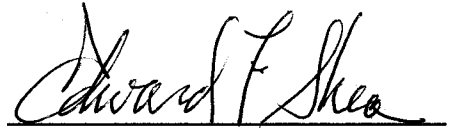
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Prob 12B

**Re: Phimmasanh, Somxay**  
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**Page 2**

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

PROB 49  
(3/89)

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

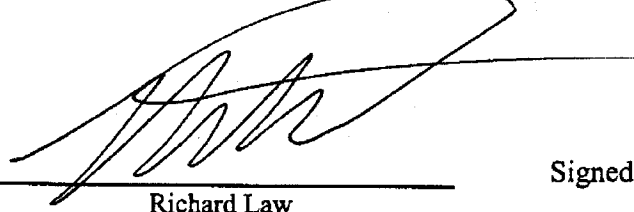
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

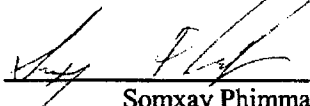
To modify the conditions of supervision as follows:

- 17 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 18 You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from ~~these substances~~.

Witness:

  
Richard Law  
U.S. Probation Officer

Signed:

  
Somxay Phimmasanh  
Probationer or Supervised Releasee

10-15-13

Date